

SOLID WASTE DISPOSAL ACT (SWDA)

R6-8-25. Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements (Subtitle I)

1. AUTHORITY. Pursuant to Subtitle I of SDWA as amended to:

- a. Proffer Field Citations.
- b. Take action under Section 9012 of the SWDA.
- c. Issue notices to States.
- d. Issue initial administrative orders under Section 9003(h) of the SWDA.
- e. Issue administrative complaints.
- f. Sign consent agreements memorializing settlements between the Agency and respondents prior to filing an administrative complaint.
- g. Take other enforcement action authorized under Subtitle I of the SWDA.

2. TO WHOM DELEGATED.

- a. Authority in 1.a. is delegated through the Director, Multimedia Planning and Permitting Division to engineers, environmental specialists and scientists, environmental protection specialists, petroleum engineers, and other designated credentialed EPA inspectors.
- b. The authorities in 1.b., 1.c., 1.e., 1.f. and 1.g. are delegated through the Director, Multimedia Planning and Permitting Division to the Associate Director of Toxics, Pesticides and UST/Solid Waste.
- c. Authority under 1.d. is delegated to the Director, Multimedia Planning and Permitting Division.

3. LIMITATIONS.

- a. The following limitations apply to 1.a. through 1.g.:
 - i. This authority may only be exercised prior to the deadline for filing an answer to an administrative complaint.
 - ii. Before the Regional Administrator (RA), or delegatee, issues complaints, the RA, or delegate must consult with the Regional Counsel, or designee. This limitation does not apply to the authority in 1.a.
 - iii. Before the RA, or delegatee, exercises this authority at a Federal Facility, the RA, or designee, must consult with the Assistant Administrator for Enforcement and

Compliance Assurance, or designee. This limitation does not apply to authority in 1.a.

4. REDELEGATION AUTHORITY. Authority 1.a. and 1.d. may not be delegated further. Authority under 1.b., 1.c., 1.e., 1.f. and 1.g. may be delegated to Section Chiefs, or equivalent, and no further.

Delegation of Authority from the
Regional Administrator